

*ecological support,
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**Proposal for Bird Conservation Area
Land South of Romsey Avenue,
Portchester**

Authors: Adam Jessop BSc (Hons) MSc & Dean Swensson

Client: Foreman Homes

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1.0 INTRODUCTION

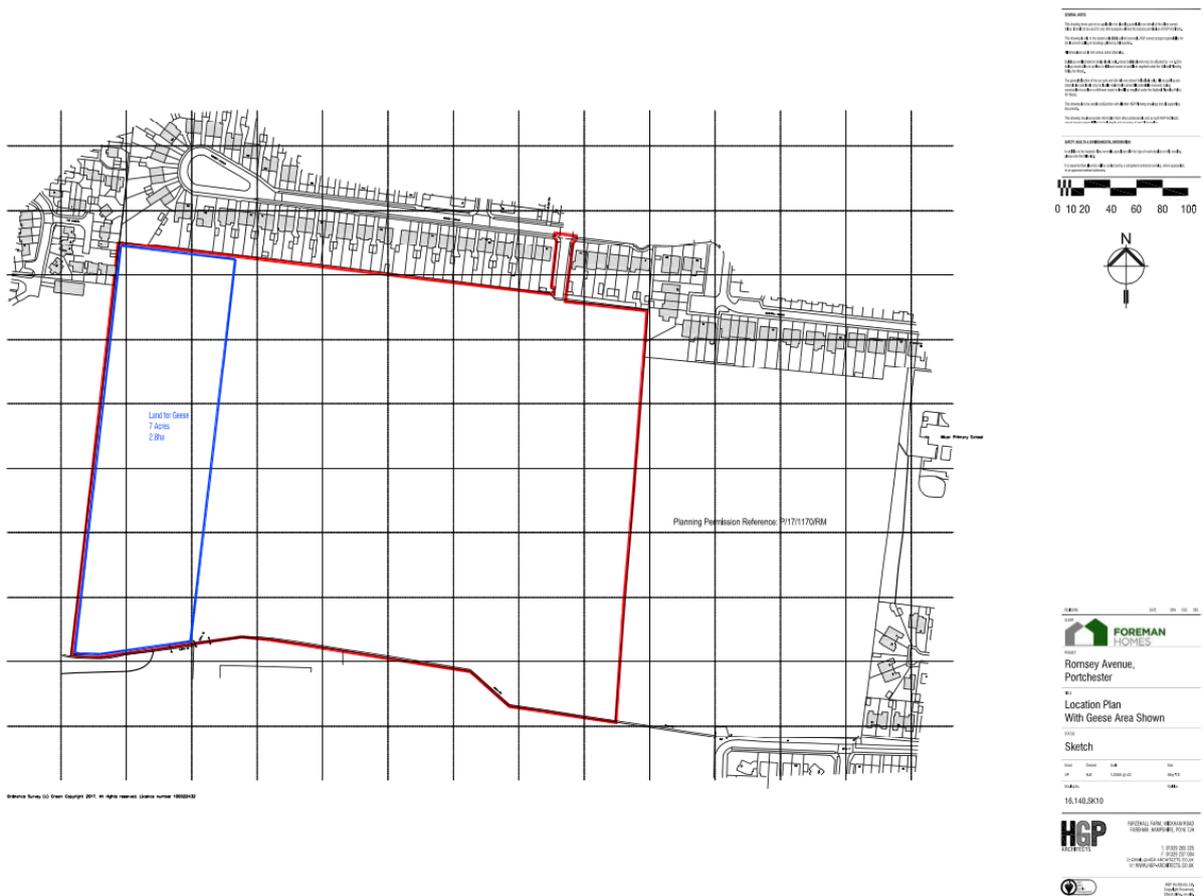
1.1 Brief

Ecosupport Ltd was commissioned by Foreman Homes to prepare an outline proposal for the creation of a dedicated Bird Conservation Area at land off Romsey Road, Portchester, PO16 9SZ (**Fig 1**). This proposal is being submitted with the intention to provide an area that will be created and managed (in perpetuity) for the benefit of Brent Geese and other wintering bird species associated with the nearby Portsmouth Harbour (SPA) in perpetuity.

The creation of this dedicated Bird Conservation Area (BCA) has been proposed in relation to an planning application for residential housing to be constructed adjacent to the proposed BCA. Currently the application site inclusive of the proposed BCA is classified within the Draft Fareham Policies Map 2017 as an 'uncertain' supporting site for Brent Geese. This classification was informed by the Solent Waders & Brent Goose Strategy a partnership organisation whom monitor bird populations and provide classification of supporting sites to the SPA. Despite this classification within the local plan due to the sites location and records of 300 Brent Geese, the site is now, under the updated classification by the Solent Waders & Brent Goose Strategy to be a 'Priority' supporting site to the SPA for Brent Geese.

1.2 Location

Figure 1. Google image below shows the location of the site within context of the surrounding local area. Area of proposed housing development is bordered in red, the proposed BCA bordered in blue.



1.3 Current Usage

The site encompasses an agricultural field, which has been in continued usage and harvested for a number of years. The field is surrounded by native species planted hedgerows some being of poor structure and diversity. Taller mature standard trees are present on the south-western boundary. To the North existing residential housing is located, with pastoral and agricultural fields to the East, West and South, in part on the south-west boundary playing fields.

The proposed Bird Conservation Area measures approximately 2.8 Ha

1.4 SPA Birds

Portsmouth Harbour Special Protected Area (SPA) qualifies as a designated SPA for its Internationally important numbers of Black-tailed Godwit (*Limosa limosa*), Dunlin (*Callidris alpine*), Red Breasted merganser (*Mergus serrator*), and Dark-bellied Brent Goose (*Branta bericla bernicla*). Other nearby and marine designated areas include the Solent and Southampton Water & Chichester & Langstone Harbour Special Protected Areas.

1.5 Relevant Legislation and Policy

1.5.1 Relevant legislation

The Conservation of Habitats and Species Regulations 2010 (known as the 'Habitats Regulations') (HMSO, 2010), pass two EEC Directives into UK law. The Regulations protect sites and species deemed to be of conservation importance across Europe. The most relevant parts of the Regulations to development related activities are:

- The protection of Special Protection Areas (SPAs) and Special Areas of Conservation (SACs)
- The protection of species listed within Schedule 2 of the Regulations, which prohibits killing, injury, disturbance, damage and/or destruction of breeding sites and/or resting places and sale, this confers some level of habitat protection.

1.5.2 National Planning Policy

The development would seek to comply with relevant Planning Policy, at a local, regional and national level.

Planning Policy Statement 9 (PPS9) was superseded by the National Planning Policy Framework (NPPF) in March 2012. The NPPF states that the planning system should contribute to and enhance the natural and local environment by:

- Recognising the wider benefits of ecosystem services.
- Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- The conservation of International and National statutorily designated sites.
- Protection of ancient woodland and veteran trees.

- The creation, protection, enhancement and management of networks of biodiversity and green infrastructure.
- The preservation, restoration and recreation of priority habitats and ecological networks.
- The recovery of priority species populations.

1.5.3 Local

Policy DSP13 of the Fareham Local Plan Part 2 (2014) states the following, which is relevant to the Boroughs biodiversity interests:

Development may be permitted where it can be demonstrated that;

- designated sites and sites of nature conservation value are protected and where appropriate enhanced;*
- protected, priority and target species populations and their associated habitats, breeding areas, foraging areas are protected and, where appropriate enhanced;*
- where appropriate, opportunities to provide a net gain in biodiversity have been explored and biodiversity enhancements incorporated; and*
- The proposal would not prejudice or result in the fragmentation of the biodiversity network.*

Proposals resulting in detrimental impacts to the above shall only be granted where the planning authority is satisfied that;

- impacts are outweighed by the need for, and benefits of the development; and*
- Adverse impacts can be minimised, and provision is made for mitigation and, where necessary, compensation of those impacts.*

Enhancements that contribute to the habitat restoration targets (and population strengthening), set out in the Hampshire Biodiversity Action Plan (or its equivalent) will be.

Policy DSP14: Supporting Sites for Brent Geese & Waders

(Draft Fareham Plan 2017)

Fareham Borough is an internationally important wintering location for Brent Geese and wading bird species, with several Solent coastal areas within and around the Borough designated as Special Protection Areas (SPAs). Brent geese and waders (SPA birds) are also dependent on a network of habitats providing feeding and roosting areas, outside of the SPA boundaries. These 'supporting sites' are functionally linked to the SPAs, and adverse impacts to supporting habitats may affect their integrity. There is a presumption against development that adversely affects SPA supporting habitats. Such known sites of value have been defined and identified in the Solent Waders and Brent Goose Strategy (2010), including sites of 'important' or 'uncertain' value. On-going survey work may result in amendments to the network of sites of 'important' or 'uncertain' value and the policy shall always apply to the latest Policies Map as updated or superseded by any revised plans, strategies or data. Consideration should also be given to the potential impact of development upon 'uncertain' and 'important' sites located in neighbouring districts.

Impacts to 'important' sites should be avoided. Development proposals that could impact

'important' SPA supporting bird sites will need to be assessed in order to understand the level of impact. Where required, suitable avoidance and mitigation measures will be sought, and a programme for the implementation of those measures put in place. Creation or enhancement of suitable replacement habitat may be appropriate to mitigate the impacts and ensure no net loss of the supporting sites network. These measures should be agreed in consultation with the Council and Natural England.

Where development proposals could impact sites of 'uncertain' value (with limited survey data), site surveys will need to be undertaken to determine their level of importance. An example survey methodology is set out in the Solent Waders and Brent Goose Strategy (2010).

Where a negative impact on a SPA bird supporting site cannot be avoided or satisfactorily mitigated, planning permission is likely to be refused. Policy DSP14: Supporting Sites for Brent Geese and Waders Development on 'uncertain' sites for Brent Geese and/or Waders, (as identified on the Policies Map) may be permitted where studies have been completed that clearly demonstrate that the site is not of 'importance'. Development on 'important' sites for Brent Geese and/or Waders, (as identified on the Policies Map), and updated or superseded by any revised plans, strategies or data, may be granted planning permission where:

- i. It can be demonstrated that there is no adverse impact on those sites; or
- ii. Appropriate avoidance and/or mitigation measures to address the identified impacts, and a programme for the implementation of these measures, can be secured.

Where an adverse impact on an 'important' site cannot be avoided or satisfactorily mitigated, an Appropriate Assessment will be required to determine whether or not the proposed development would have an adverse effect on the integrity of the Solent Special Protection Areas. Where an adverse effect on the integrity of a Solent Special Protection Area cannot be mitigated, planning permission is likely to be refused.

1.6 Consultation

Prior to this application consultation with Natural England and Fareham Borough Council's ecologist took place to discuss off site compensation options. Review of potential alternative off site compensation BCA sites were considered with the assistance of Natural England, Fareham Borough and Hampshire County Council, however, negotiation with landowners of suitable off site compensational areas were not successful.

2.0 BIRD CONSERVATION AREA OPPORTUNITY

2.1 Opportunity

Currently the proposed BCA includes the western 2.8 ha of the existing agricultural field. This field has been under a crop regime of continued spring wheat or barley with the entire field being ploughed and left without winter crop being seeded after late Summer harvest. This has been continued over the last 4-5 years. This crop regime would restrict usage of the field by Brent Geese as foraging opportunities would not have been available. The usage by Brent Geese during the Winter of 2011 – 2012 corresponds with the field having had the last seeded winter wheat crop (confirmed with the landowner) with this habitat type (winter cereals) being a favoured foraging resource of Brent Geese (Rowell and Robinson, 2004).

3.0 BIRD CONSERVATION AREA: NECESSARY FACTORS & DESIGN

3.1 Introduction

It is proposed that the area of 7 acres from the housing scheme and available for the creation of the BCA be designed and managed for the benefit of brent geese and other species for which the SPA is designated. To greatly increase the likelihood of SPA birds using the BCA certain elements will need to be designed to include certain favourable factors increasing the likelihood of attracting waders and wildfowl species. These factors include:

- Clear site & flight lines
- Little or no human disturbances including dog walking disturbances
- Seasonal wetland areas for bird feeding and roosting
- Short grassland for bird grazing, roosting and feeding

All the above elements will need to be considered within the design of the scheme. Each factor if not optimally considered, located or designed could have negative influence in achieving the desired vision for the area.

3.2 Factors

3.2.1 Clear Site & Flight Lines

Currently the site has a reasonably open aspect although tree lines on the south and west will need to be taken in to consideration when designing wetland and any waterbodies on site (recommended the trees are removed). The location of these wetland features cannot be restricted to being in such close proximity to tree lines that birds will not use them. If clear flight lines are unable to be maintained over the majority of the wetland areas this would undoubtedly reduce the bird usage.

3.2.2 Human & Dog Walking Disturbance

This could be considered easily remedied through the provision of appropriate fencing and signage however some walkers and dog walkers tend to be resilient in respect of continuing the status quo in terms of where they believe to have rights to walk. With this in mind features and mitigation measures will need to be included to lessen any likelihood of human disturbance. As well as including appropriate fencing, ditches and strategic planting will also be included to lessen any human disturbance.

3.2.3 Seasonal Wetlands

Soil, infiltration and hydrological surveys will ultimately determine the type and location of waterbodies that will be achievable within the finalised design of the scheme as well as water sources to feed the wetland areas. Investigative surveys will determine any large scale landscape engineering that will need to take place to enable optimum design and location of any wetland features.

3.2.4 Short Grassland

On going management will be necessary to provide suitable grassland structure to allow for favourable goose grazing. The easiest and most cost effective solution being, an appropriate mowing regime implemented on site during late summer and early autumn to maintain a low and suitable sward height.

3.3 Design & Capital Works

Plan 1 shows design and layout incorporating elements of capital works associated with implementing the construction of the BCA. It is intended to be reasonably comprehensive.

Points below list and detail initial capital works that will be implemented prior to any proposed residential development commencing.

3.3.1 Access

A vehicular access to enable maintenance and management will be located on the eastern boundary. This will incorporate a suitable vehicle turning space and vehicular standing area.

3.3.2 Shallow Pool Creation

To enable favourable conditions to encourage usage by SPA birds areas as approximately depicted on **Plan 1** (A) will be created to provide shallow temporary pooling.

These areas of newly created shallow ephemeral pooling will be gravity fed through the use of roof water from the new residential development to the east and secondarily through natural surface runoff.

3.3.3 Defensive Boundary V-Mesh Fencing and Ditch (C)

As part of creating a safe and sheltered area for Brent Geese and other birds lessening any risk of human disturbance will be a high priority. One of the elements in achieving this will be to incorporate a ditch line and by installing fencing (**Fig 2**). Location ditches and fencing is shown on **Plan 1**. (C and D). Fencing will only partly line the western boundary this is to encourage an open aspect to the site from the west and adjacent existing field.

Figure 2. Example of wire fencing that can be used.



3.3.4 Pond Construction (B)

A pond (or series of ponds) will be incorporated into the design of the ditch, approximate location as shown on **Plan 1**. This will be designed and constructed to provide suitable breeding and foraging opportunities for amphibians and reptile species. The design will be reflective of the recommended advice and design detailed within the 'Ponds for Amphibians & Reptiles'¹.

3.3.5 Site Line Improvement (E)

To increase the open aspect of the BCA the defunct hedgerow located on the western boundary of the site will be removed along with the Ash trees in the south western corner. The removal of these features will increase the visibility of the BCA from the nearby mudflats.

3.3.6 Levelling and Seeding

The entire site within the boundary of the ditch line will be subject to levelling, contouring and seeding of an appropriate grass mix suitable for grazing wildfowl.

¹ https://freshwaterhabitats.org.uk/wp-content/uploads/2013/09/Amphibians-Common-Toad-Great-Crested-Newt-and-Grass-Snake_-new-logo.pdf

4.0 COSTED MANAGEMENT PLAN

4.1 INTRODUCTION

This chapter provides details of associated costs for the on going management of the BCA after all Capital Works as outlined in the previous chapter have been completed prior to a hand over of the BCA to a suitable management company, NGO or local authority. These initial Capital Works will be carried out by and / or funded by the developer and their relevant sub contractors.

All on going costs are provided in good faith and have been calculated with a practical sense in terms of providing maintenance for all elements in relation to the implemented Capital Works and on going management of the BCA.

An online UK future inflation calculator was used to predict costs of labour and materials based on an increase of annual rates of 1.5% for wage/labour and 2.5% material over the last 10 years. The costs have been calculated to cover an 80 year period.

4.2 Associated On Going Management Costs

4.2.1 Access Track (Half tray with geotextile)

Access gateway and stand area (total of 100m²) for maintenance vehicles is predicted to be required in years 2040 and 2060. A 20 % cost of the original cost has been allowed for both maintenance stages inclusive of relevant inflation rates.

2040	2060
£2,500	£4,200

4.2.2 Ephemeral Pools & Pond De-silting

Over time the created wetland features may require maintenance in respect of de-silting maintenance. Costs have allowed for two 4-day periods during years 2030 and 2060 for de-silting operations inclusive of 24 tonne 360 degree excavator and two 6 tonne dumpers inclusive of labour to implement these operations if required.

2030	2060
£5,293	£11,020

4.2.3 Defensive Boundary Fencing

A 10% allocation of the initial Capital Works cost for this element has been provided as a maintenance cost along with a cost for the entire fence to be replaced in year 2055.

Maintenance Budget	2055
£1,150	£18,500

4.2.4 Mowing Regime

To enable favorable goose grazing conditions mowing will take place on site between April and September. The use of a tractor mounted mower will enable the cut to take place within a single day. Height of the grass at the last cut of the year during mid-late September would preferably be between 5 - 10cm. Goose feeding preferences change during the course of the year and factors including density of foraging birds may change and it would be preferable not to encourage regular usage of artificial nitrogen fertilizers, however a budget has been allowed to include nitrogen as an additional if considered necessary.

Four Annual Cuts -Total Budget **£119,000** full 80 year term.

4.2.5 Staffing Costs

General staffing of overseeing the site, bird monitoring and associated administration costs are preliminarily proposed as requiring 1 day per week for the first 12 months adjusting to half day per week thereafter. At a salary rate of 25K per annum the costs are outlined below:

2018-2019	2020-2100
£5,408	£377,636

Table 1. Calculated On-going management costs

<i>N.b Material Costs are subject to Vat.</i>	<i>Costs 2018-2100</i>
<i>Gate & Standing Area</i>	<i>£6,700</i>
<i>Ephemeral Pooling Pond de-silting</i>	<i>£16,313</i>
<i>Defensive Boundary</i>	<i>£19,650</i>
<i>Mowing Regime</i>	<i>£119,000</i>
<i>Staffing Costs</i>	<i>£383,044</i>
<i>Total</i>	<i>£544,707</i>

5.0 FUTURE RESPONSIBILITY

5.1 Pre-construction 2018-2019

All capital works associated with the BCA will be funded by the site's redevelopment. Construction of the BCA will commence at the earliest opportunity to enable the BCA's infrastructure to be in place prior to first occupation of the housing development. At this time monitoring of the works will be encouraged by the future responsible organization for the BCA to provide agreement to contractual works. All capital works will be overseen by an experienced ecologist and land manager.

5.2 Appropriate Future BCA Management Organization

An appropriate organization will be identified for the BCA to be handed over to (such as the Hampshire and Isle of Wight Wildlife Trust who have co authored the Silent Waders and Brent Goose Strategy (2018 unpublished). The on-going management funds will enable the entrusted organization to deliver on-going maintenance of the BCA along with and where necessary replacement of infrastructure over the next 80 years.

In addition the future management organization will be responsible for monitoring the success of the newly created bird conservation area in respect of its success in attracting and its usage by SPA bird species.

5.3 'Step In Rights'

If an agreement with an appropriate organization body were not possible or if during the term of the on-going 80 year management the managing organization were not considered to be acting or managing the site appropriately or for other reasons for which Fareham Borough Council considered it inappropriate for the managing organization to continue responsibility for the BCA. Requirements will be put in place to enable legal 'step in rights' for Fareham Borough Council to take over the running and responsibility for the BCA.

6.0 DISCUSSION

This outline plan is intended to offer an initial vision of a proposal that will enable a gain in providing foraging habitat for Brent Geese. Capital works and on going management will be deliverable through the proposed housing development that will clearly benefit biodiversity and with the intention of providing suitable habitats valuable for SPA bird species.

It is important that stakeholders are consulted throughout the process and that the Bird Conservation Area once capital works are completed is handed over to an appropriate organisation or authority that are provided with appropriate resources to continue the on going management in perpetuity.

It is recommended that if the planning application were to be granted that a condition is included within the planning that requires an up date to this report to further detail design and management strategy be prepared and that stakeholders are consulted and investigative surveys carried out to enable an achievable design scheme to be implemented.

7.0 REFERENCES

Rowell, H.E., & Robinson, J. A., (2004) Feeding Areas for Dark Bellied Brent Geese *Branta bernicla bernicla* Around Special Protection Areas (SPA) in the UK.

SWBGS Steering Group (2018) Silent Waders and Brent Goose Strategy: Interim Guidance on Mitigation and Off-setting Requirements (unpublished).